

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMANORTHERN DIVISION

RECEIVED

Thomas OTTER ADAMS.

PRO SE, # 100612-BFull name and prison number
of plaintiff(s)

v.

WARDEN, EUNODOLYN MOSLEYSEC. COMM., LEWIS HOLTCDI JOEL YEWCDI DARRON FAYSONCDI ANNETTA BROWN, CT. AL.Name of person(s) who violated
your constitutional rights.
(List the names of all the
persons.)

2006 SEP 28 A 9:30

CIVIL ACTION NO. 2:06cv873-1D
(To be supplied by Clerk of
U.S. District Court)

DEMAND FOR JURY TRIAL

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES () NO ()

B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES () NO ()

C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) Thomas OTTER ADAMS, - 100612PRO SE,Defendant(s) WARDEN EUNODOLYN MOSLEY,CT. AL.

2. Court (if federal court, name the district; if state court, name the county) U.S. DISTRICT

COURT- MIDDLE DISTRICT / NORTHERN DIVISION
ALABAMA

3. Docket number 2:05-CV-0352-MHT

4. Name of judge to whom case was assigned CHIEF U.S.
MAGISTRATE JUDGE, CHARLES S. COODY

5. Disposition (for example: Was the case dismissed?
Was it appealed? Is it still pending?)
PENDING

6. Approximate date of filing lawsuit 2-2005

7. Approximate date of disposition N/A

II. PLACE OF PRESENT CONFINEMENT EASTERLING CORR.

Facility - Clio, ALA. 36017

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED EASTERLING,
~~████████~~ Correctional Facility

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR
CONSTITUTIONAL RIGHTS.

NAME

ADDRESS

1. Quinton Mosley - 200 WALLACE DR. - Clio - 36017
2. Lewis Hallett - 200 WALLACE DR. - Clio, 36017
3. Del Row - 200 WALLACE DR. - Clio - 36017
4. Darrow Fayson - 200 WALLACE DR. - Clio, 36017
5. Angela Brown - 200 WALLACE DR. - Clio, 36017
6. ET. AL., TO BE NAMED AS IS DISCOVERED

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED

August 10, 2005 - SEGREGATION UNIT LOBBY

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION
THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE. ① EXCESSIVE FORCE, CHERRY AMENDMENT
violations - (grabs) on 8-10-2005 in THE

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

SEPARATION LOBBY, I was waiting to be taken to the Hospital Care Unit, I had been complaining of chest pains in Cell 5B-16, I was hand cuffed, behind my back, and taken from that cell by CO I Fayson, who was _____ on the floor, at his instructions) orders a wheel chair was being brought from the Hospital Care Unit.

DRD.

(2) CO I Tew brought a wheelchair to, began to berate this inmate, and said, "GET THE (H.C.U.) THE BEST WAY YOU CAN, ADAMS". At this I became scared, frightened, and depressive, I stood up to walk from the segregation unit to the H.C.U., and was seized, grasped and apprehended

TRD.

SUPPORTING FACTS: by CO I Tew, picked-up, and when body-scanned to the floor of the lobby, on my back, hand-cuffed behind my back, the chair was knocked out of me, I was then picked-up by officers Tew, Fayson & Brown, assisted when by SEC. Commander SGT. Lewis Nollett.

(3) I was semi-conscious and Alice, and as hurled into the wheel chair.

(4) I had just taken 4-5 Nitro-Glycerin tablets.

(5) I was then taken to the H.C.U., while intimidated and threatened by both of the officers, CO I Tew & SGT. ~~Fayson~~ Nollett.

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU.
MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

Punitive Damages, Declaratory Judgment, &
Temporary injunction, Restraining Order -
A Jury Trial, F.R.Civ.P. #7, and Answer, 7(A)

Thomas Adams -
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on sep. 11, 2006
(Date)

Thomas Adams- 100612
Signature of plaintiff(s)

SB-12 - SEC. UNIT
200 WILLENCE DRIVE
CLID. ALO. 36017

Grounds continued

- ⑥ I was monitored, examined by the H.C.U. STAFF, who reported, "nothing wrong", COT TOW AND SGT. NEZETT REMAINED IN THE EXAMINATION ROOM THE ENTIRE TIME,
- ⑦ I was forced by order to, "walk back" TO THE SUG REGISTRATION UNIT, placed back in my cell.
- ⑧ I was requested a body-chart because my wrists were hurting and my R. wrist was very swollen, abrasion, and bleeding.
- ⑨ THE HANDCUFFS I'D HAD ON WERE NOT IN THE "LOCK POSITION", CONTRARY TO S.O.P. POLICY.
- ⑩ I was given permission a body-chart by SGT. NEZETT, only after THE 2nd SHIFT CAME ON, WAS MY REQUEST RECOGNIZED.
- ⑪ I WAS THEN TAKEN TO H.C.U. ABOUT 4:00-5:00, CHARTS MADE, EXAMINED, AND TREATED, SCHEDULED FOR AN IMMEDIATE X-RAY'S, (MID. 11, 2006.)
- ⑫ MY X-RAY'S WERE TAKEN THE NEXT DAY, LOW-BACK, R. SIDE RIBS, R. WRIST.
- ⑬ I WAS GIVEN PRESCRIBED A WRIST SPLINT FOR 2 WEEKS, FLEXORIL &

points continued

7/26/06 for 2 weeks.

⑭ I continue to have back pain, although I'm told it's just, "arthritis";

⑮ my R. wrist has numbness which extends to my fingers.

⑯ I continue to be harassed, threatened and intimidated by Warden.

⑰ I maintain that during this event of "excessive-force", Sgt. Commander Sgt. Lewis Holtz was present at all times, failing to supervise!

⑱ I maintain that Co 1 Fayson and Co 1 Brown were also present during this event in the 5 Dorm - Lobby.

⑲ Each officer is well aware that I am the "Dail House Lawyer" in the litigation -

Ricky Davis - 173073

v.

2:06-CV-010-MHT?

Sgt. R. Bryant

which is before U.S. magistrate judge, decides Boyd, an excessive force claim. An investigation by A.D.O.C.'s, I & I Division is ongoing, continues

CERTIFICATE OF SERVICE

I hereby certify, by signature that
I HAVE MAILED A COPY OF THIS, 42 USC § 1983,
TO THE ATTORNEY OF RECORD, BY THE U.S. MAIL,
PROPERLY ADDRESSED AND POSTAGE PRE-PAID.

AS; MS. KIM THOMAS, ATTORNEY

LEGAL DIVISION, ADOC

P.O. BOX 301501

MONTEZUMA, AWA - 36130-1501

THIS 42 USC. § 1983 IS FILED PURSUANT
TO 28 U.S.C. § 1746(c), UNDER THE PENALTY
OF PERJURY.

Done this day of September, 2006.

RESPECTFULLY SUBMITTED,

Thomas Adams - 100612

Thomas Adams - 100612

58-12 SECTION 8 UNIT

200 WALLACE DRIVE

CCIO, AWA, 36017

NOTARY PUBLIC:

my commission expires;